STATE OF THE MEDIA REPORT 2015

In the Report:

Introduction

Political Context and Key Events

Media Environment

Arrests, threats and harassment of journalists

Access to information/freedom of expression

Print Media

Broadcasting/Telecommunications/ICT

Way Forward in 2016

Conclusion

Media Violations Statistics: 2015
Introduction

Two years after the adoption of the 2013 Constitution which ushered a universally acceptable Bill of Rights, there has not been any meaningful shifts in the country’s legislation or policies to make these constitutional gains a reality.

For instance Sections 60, 61 and 62 of Zimbabwe’s constitution guarantee the rights to propagate one’s thoughts, media freedom, freedom of expression and access to information. However, most statutes relating to unhindered enjoyment of these liberties have remained intact.

For example, the Access to Information and Protection of Privacy Act (AIPPA), which is meant to facilitate access to information held by public bodies, actually does the opposite. It imposes cumbersome bureaucratic procedures for one to access information rendering the exercise practically impossible.

Consequently, both local and national government bodies remain insulated from public scrutiny, which is key to building accountable governance.

Other laws such as the Official Secrets Act, the Criminal Law (Codification and Reform) Act (CODE), as well as the defence and police Acts, restrict the dissemination of information on the pretext of protecting public security. All this militates against the spirit and letter of the new constitution.

Resultantly, authorities continue to use the discredited AIPPA, to license and regulate the media; the Official Secrets Act (OSA) to broadly embargo information held by public bodies and the Broadcasting Services Act (BSA), to hinder free establishment of radio stations. The Censorship and Entertainment Controls Act (CECA), also continues to be used to censor free artistic expression; the CODE to criminalise media work and citizens’ right to free expression.

In addition, the Interception of Communications Act (ICA) poses serious threats to the privacy of citizens’ electronic communications.

And also telling in that regard, is the endorsement of President Robert Mugabe ahead of Zanu PF’s December 2015 Conference, as the party’s presidential candidate in the 2018 elections. Mugabe, 91, will be 94 years in 2018.

In his closing remarks at the end of his party’s December 2015 Conference, President Mugabe said he would not give in to the West’s demands for reforms as a pre-requisite for the removal of sanctions. What seems to have been lost on the President is that this is not necessarily about capitulating to the West’s demands, but more about adherence to constitutionalism as envisaged in terms of the country’s new constitutional dispensation.

Socio-political environment
Instead of concentrating on reforms to entrench democracy and accountability in order to attract foreign
direct investment, these were relegated to the backburner as the country continued to witness factional
fights especially within the rank and file of the ruling Zanu PF structures.

The factional fights spawned by intra-party contestations to succeed President Mugabe given his advanced
age, continued unabated and with ferocious intensity similar to the infightings that resulted in the ouster of
former Vice President Joice Mujuru and her perceived loyalists at the Zanu PF Congress in 2014.

The job losses and company closures experienced in 2014 worsened in 2015 as the economy continued to
decline denting Zanu PF’s pre-2013 election promises to create two million jobs in terms of its economic
blueprint, ZIMASSET. This worsened in the wake of the Supreme Court ruling in August 2015 that
employers can terminate contracts after giving three months notice.

Following the ruling, companies including parastatals struggling to meet overheads, salaries and wages
due to the harsh economic environment, took advantage of the ruling to lay off thousands of workers
compounding the more than 80 percent unemployment rate.

The perennial water and electricity shortages worsened during the period under review. According to the
Confederation of Zimbabwe Industries (CZI), capacity utilisation in the manufacturing sector dropped to
34.3% from 36.5%. The economic decline is easily attributable to hostile policies such as the
Indigenisation Act which compels foreign companies to cede 51% shareholding to locals. These policies
repel desperately required foreign direct investment inflows (FDI), to resuscitate industries hampered by
capital constraints and antiquated machinery.

Also telling in that regard is the malfeasance and mismanagement in public institutions that continues to be
exposed annually by Auditor-General Mildred Chiri in her reports. According to Transparency
International’s Corruption Perception Index Score, Zimbabwe together with countries such as Nigeria,
Uganda, Kenya and South Sudan, are ranked as states with unacceptable levels of corruption in Africa.

And with not much happening on the economic front, Finance Minister Patrick Chinamasa in November
2015, presented yet another paltry $4 billion budget for the fifth year running since 2012. The minister was
forced yet again, to revise downwards GDP growth from 3.1 % in 2015 to between 1.5% and 2.7 % in
2016. Of the $4 billion budget, $3.19 billion is expected to go towards employment costs from a revenue
projection of $3.85 billion.

With the looming drought, the World Food Programme estimates that about 1.5 million face starvation in
the 2015 - 2016 outlook period. Chinamasa himself captured the gloomy period ahead in his 2016 budget
statement when he said:

“The level of revenue estimates clearly limits the size of overall budget expenditure for the year and scope
for manipulation to meet various fiscal expenditure demands for ZIMASSET projects and programmes.”
The obtaining socio-economic and political environment portends tougher times in 2016 with Zanu PF’s succession politics and factionalism set to intensify at the expense of the economy and envisaged reforms critical to securing a conducive democratic and business environment.

**media environment**

The government-sanctioned Information and Media Panel of Inquiry (IMPI) on 18 March 2015 officially released its report and recommendations on Zimbabwe’s information and media sectors urging the government to review and repeal the country’s restrictive media laws.

The 666-page report recommends the repeal of laws such as the Access to Information and Protection of Privacy Act (AIPPA), Criminal Law (Codification and Reform) Act (CODE), Broadcasting Services Act (BSA), Censorship and Entertainment Controls Act (CECA), Official Secrets Act (OSA) and Copyright and Neighbouring Rights Act.

The report notes that:

“The orientation of laws affecting the information sector has been one of control, and not one of viewing this sector anew as a growth pole in the national economy. Legally, the information revolution has thrown up new issues to do with growth promotion, regulation, standards and protection of society from negative, harmful material.

“The main recommendation is the need for review of existing media laws in line with the Constitution, including media regulation and removal of all penal measures and criminalisation.”

However, steam to implement the findings seemed to have been lost with the reassignment of Professor Jonathan Moyo to the Ministry of Higher Education from that of Media, Information and Broadcasting Services where he was spearheading the IMPI process.

The new minister Christopher Mushowe in December 2015 said the media industry would be consulted in the context of a retreat scheduled for January 2016 during which a new media policy will be debated and framed.

Suffice to note that more than two years after the coming into being of the 2013 Constitution, in 2015 the country was still to align a raft of laws that infringe on media freedom, freedom of expression and the right to access to information.

This is despite the fact that Zimbabwe’s Constitution now has a comprehensive Bill of Rights which has been hailed as meeting international, continental and regional standards through its explicit guarantees on, among others, media freedom, freedom of expression and access to information.

Encouraging though are the judicial peeks into the constitutionality of some of the afore-mentioned laws. While judgment was reserved in two cases pertaining to the presidential insult laws, observations made by the Constitutional Court questioning the constitutionality of the offence raises hope for the repealing of the founding Act.
Queries posed in the two cases by Chief Justice Godfrey Chidyausiku to the National Prosecuting Authority in January 2015, resonate with MISA-Zimbabwe’s long held view that the offence is undemocratic, more so in the context of the new constitutional dispensation.

In the case against former Nyanga North MP Douglas Mwonzora, accused of labeling President Robert Mugabe a “goblin” during a rally in 2009, Chief Justice Chidyausiku questioned whether politicians should be prosecuted for calling each other names.

In another case, the Chief Justice and Deputy Chief Justice Luke Malaba posed almost similar queries in the case of Shantel Rusike accused of undermining the authority of and insulting the president after sending a picture via WhatsApp depicting a nude President Mugabe.

The offences in question were allegedly committed in terms of Section 33 of the Criminal Law (Codification and Reform) Act which has seen several citizens being arrested and brought before the courts.

“The President is not a goblin and we all know that. Why should the law bother itself about it. You have to be an imbecile to believe that the President is a goblin,” said the Chief Justice during hearing into the matter.

In the WhatsApp case, the Chief Justice noted the accused was being charged for sending the pictures to the public whereas she had sent the image to a friend. “Isn’t that WhatsApp is a private platform where individuals communicate, but even if they don’t agree or have differences, does that make it a public platform?”

Said Deputy Chief Justice Malaba: “It can’t be true, where would any person get the picture of the President in the nude? The charge does not make sense, you charged the girl with something that does not make sense.”

These developments point to increasing pressure for the review and alignment of the country’s media laws with the Constitution.

- **Arrests, threats and harassment of journalists**

While cases pertaining to media freedom violations had been on a steady decline with 22 cases recorded in 2014 compared to 28 the previous year, the cases shot to 25 violations in 2015.

This speaks volumes on the lack of willingness to embrace and practice constitutionalism on the part of senior government and Zanu PF officials and other non-state actors. The violations which were mainly in the form of threats and unlawful arrests, came in the wake of Zanu PF factional fights.

The private media came under heavy censure for highlighting the rifts within Zanu PF. The threats were ominous in that they came from President Mugabe, his wife, Grace, and the Permanent Secretary for Media, Information and Broadcasting Services George Charamba. Mugabe and Charamba even went on to
call for stiffer media regulations to deal with the independent media, warning that the media should not cry foul when that happened as government was sure to act.

However, the media, especially the private press, was later vindicated by both President Mugabe and his wife in the run-up to the Zanu PF Conference and during the December meeting itself, when they said the media was not to blame for the stories.

President Mugabe himself blamed the stories on leakages of the party's meetings including Cabinet deliberations which he said were being reported as would have transpired and vowed to deal with those who give information to the media.

Meanwhile, other cases involved the unlawful arrests or assaults by the police of journalists conducting their lawful professional duties.

The threats to institute rigid measures against journalists, is indicative of a government keen on retaining the laws that have been identified for amendment or repeal in line with the 2013 Constitution.

This coupled with police's wanton arrests of journalists, has a chilling effect on journalists exercising their constitutionally guaranteed freedoms. Some of the cases involved the arrest of The Sunday Mail journalists and the detention of Mutare journalists, Sydney Saize, Bernard Chiketo and Kenneth Nyangani in Rusape.

Journalists Obey Manayiti, Reagan Mashavave and Pindai Dube were also detained, threatened and released without charges by the police on 8 August 2015 while covering a demonstration in Harare by the ZCTU against job losses.

Photojournalist Crispen Ndlovu, was also assaulted by the police in Bulawayo in July 2015.

Journalist Patrick Chitongo was also convicted and sentenced for publishing an unregistered newspaper in breach of the stringent registration requirements under AIPPA.

Chitongo was on bail pending appeal (as of December 2015), against both conviction and sentence for contravening Section 72 (1) of AIPPA, which states: No person shall carry on or operate a mass media service without a valid registration certificate. He was sentenced to an effective eight months imprisonment following suspension of four months of the sentence on condition that he does not commit a similar offence in the next five years.

While media violations have generally been attributed to state actors, political actors and security personnel, there was a worrying if not unprecedented development involving the private sector. On 26 March 2015 Steward Bank and mobile phone operator, Econet Wireless, raided the offices of The Source news agency in Harare.

The Sherriff and police, searched and seized documents from The Source news agency in execution of a High Court order granted by Justice Musakwa. This followed allegations by Steward Bank and Econet Wireless that the publication of two stories titled: Steward Bank seeks land to settle 2.1 million Chiyangwa
loan and Debt distressed Zimbabwe moves to reschedule domestic debt, were premised on illegally obtained documents.

The media responded swiftly to this serious onslaught against their constitutionally guaranteed right and petitioned the two companies. In the petition, the media referred Steward Bank and Econet Wireless, to Section 61 (2) of the Constitution which unequivocally guarantees protection of news sources by stating that: every person is entitled to freedom of the media, which freedom includes protection of the confidentiality of journalists’ sources of information.

The petition condemned the raid as unacceptable and an arrogant violation of Section 61 of the Constitution of Zimbabwe, which protects freedom of expression and freedom of the media.

(Refer to 2015 Media Violations Statistics table for details).

Access to information/freedom of expression

While other SADC countries are making strides towards entrenching democracy and enjoyment of fundamental rights, Zimbabwe is somehow still trapped in the old constitutional order with a raft of repressive media laws such as AIPPA, BSA, ICA, OSA and Criminal Defamation, among others, remaining firmly entrenched in its statutes.

Section 62 (4) which provides for the right to access to information, unambiguously states that legislation must be enacted to give effect to this right.

The inference that can be drawn from this constitutional demand for enactment of a new information law, is that the supreme law does not acknowledge AIPPA in its current form and content as giving effect to the enjoyment of citizens’ right to access to information.

The conviction and sentencing to imprisonment of freelance journalist Chitongo on charges of publishing The Southern Mirror without a registration certificate as required under AIPPA, is testimony to the criminalisation of free speech in Zimbabwe.

Other cases relate to the arrest of citizens under the Presidential insult laws. According to the Daily News, James Mwaya of Bindura was in September 2015 charged with contravening Section 33 of the Criminal law (Codification and Reform) Act for allegedly insulting or undermining the President.

In October, Bubi MDC-T councillor for Ward 18, Nduna Matshazi, was arrested for allegedly posting a derogatory message on a Whatsapp chat group insulting President Mugabe. On 16 December 2015, Patrick Mugadza, a pastor with a pentecostal church in the northern resort town of Kariba appeared in court charged with criminal nuisance after he allegedly carried placards at the Zanu PF conference in Victoria Falls denouncing President Mugabe.
He reportedly carried a placard written: *Mr President the people are suffering, Proverbs 21:13*, as he moved around the streets of Victoria Falls. The state is alleging that Mugadza’s conduct disturbed and blocked people thereby disturbing peace.

While legal and, in some instances, extra-legal hindrances continue to hinder freedom of expression and access to information, especially through the traditional means of communication, the internet has remained a relatively freer space for information diffusion, dialogue and debate, providing an opportunity for Zimbabweans to participate in that space.

Their participation is reflected in various newspaper websites, online news agencies and various social media platforms on which Zimbabweans robustly debate issues and propagate their views however critical of the state.

However, the internet is not completely secure since laws that are used to regulate and control expression offline can still be used to regulate online activity.

Meanwhile, if Zimbabwe does not move with speed to align several of its laws with the 2013 Constitution, the country risks costly applications on the constitutionality of existing legislation deemed *ultra vires* the constitution.

This untenable situation risks turning the Zimbabwe Human Rights Commission (ZHRC) into a white elephant. How is the ZHRC expected to promote, protect, monitor, assess and ensure observance and attainment of human rights in a situation where the statutes continue to be littered with contradictory laws such as AIPPA.

While Zimbabwe ratified and signed the African Union’s Convention on Preventing and Combating Corruption and also has Anti-Corruption Commission in place, it is trite to note that without transparency and access to information, corruption will continue to flourish.

Enactment of a democratic access to information law will therefore go a long way in combating corruption, observance of human rights and improvement in the quality of life in Zimbabwe.

**Print media**

As highlighted in MISA-Zimbabwe 2014 State of the Media Report, the worsening economic environment continues to pose serious viability and sustainability challenges to newspaper companies as evidenced by the closure of the privately owned *Southern Eye, The Zimbabwe Mail, The Flame* and *New Zimbabwean*.

The remaining publications are struggling to break even resulting in the downsizing of staff and late payments of salaries which worsened in the wake of the afore-mentioned Supreme Court ruling allowing employers to give workers three months termination notices.
The state-controlled Zimpapers, the largest media company according to its 2015 half-year results posted a $1.9 million profit compared to the $1 million loss during the same period in 2014. Nonetheless, the company still experienced a drop in revenue to $19.95 million from $21.01 in the same period in 2014.

While its competition closed some of their publications (Southern Eye published by Alpha Media Holdings), as mentioned earlier, Zimpapers maintained its main newspapers notably The Herald, The Sunday Mail, The Chronicle and Sunday News, among its other publications.

Despite the harsh economic environment, the country still witnessed the conversion and entry of Tell Zimbabwe from an online publication into a weekly newspaper based in the southern town of Masvingo.

However, according to the 2015 Zimbabwe All Media Products Survey, there has been an increase in the number of people reading (not buying, which ZAMPS does not measure) daily papers. Sixty-five per cent of all adults do so, up from 61% a year ago. There was an even bigger increase in those reading weeklies — now 58% versus 48% a year ago — and monthlies, up to 13% from 8%.

The public’s interest in local news rose dramatically to 88% from 63%. Readership of the sports pages rose to 39% from 26%. There was also a 3% increase in readership of entertainment to 21%, business news rose from 13% to 21 per cent—although there was a drop in the readership of weekly business papers.

Suffice to say the negative outlook for 2016 is chilling to contemplate given that where there is limited plurality and diversity of information platforms, the state often controls the public sphere by using the dominant media it controls to set the agenda and suffocate citizens with one-sided narratives on matters affecting them.

Zimbabwean newspapers therefore need to revisit their business sustainability models for them to survive the economic hardships at a time when the majority of companies are operating on shoe-string budgets as the country continues to witness downward revisions of projected GDP growth.

- **Broadcasting/Telecommunications/ICTs**

  The broadcasting sector largely remained constricted despite the licensing of eight urban-based commercial radio stations by the Broadcasting Authority of Zimbabwe (BAZ) in March 2015.

  While this development can easily be perceived as marking the decentralisation of broadcasting, reality is that the new licenses amounted to the expansion of the media that is directly under state control and associated with the ruling elite.

  The licenses were issued to five successful companies notably AB Communications, which will broadcast as Gogogoi FM in Masvingo and Faya FM in Gweru, Kingstons, which will broadcast as Nyaminanyami FM in Kariba and KE100.4 in Harare.
Faitalk Communications, which will broadcast as *Skyz Metro FM* in Bulawayo and *Breeze FM* in Victoria Falls. Zimpapers’s *Diamond FM* in Mutare and Ray of Hope, which will broadcast as *YA FM* in Zvishavane, were also granted licenses.

Only *YA FM* and *Diamond FM* had started broadcasting (as of December 2015), amid reports that the station which went on air in the mining town of Zvishavane in October, was struggling to stay afloat due to the harsh economic environment.

The majority shares in AB Communications are held by Minister of Information Communication Technologies and Courier Services Supa Mandiwanzira’s family Trust, while Zimpapers and Kingstons are under state control. Zimpapers and AB Communications already own two commercial national radio stations *Star FM* and *ZiFM* respectively.

The concentration of ownership of broadcast services by the state and those linked to the governing party betrays the authorities’ drive to dominate and monopolise the broadcast media space under the guise of private ownership.

Apart from exposing the liberalisation of the airwaves as a charade, the monopolisation of ownership severely compromises Zimbabweans’ right to freely express themselves and access information through independent and diverse media platforms.

Of the initial 21 applicants, 18 were shortlisted for public hearings. Of the 18, six applicants failed to make it due to non-payment of the steep statutory public enquiry fee of $7 500 within the stipulated deadline period.

The application fees which amount to $10 000 inclusive of the initial $2 500 application fee are prohibitively exorbitant resulting in elitist ownership of the broadcasting sector. For instance, application fees in South Africa are pegged at R3 000 which is less than $300 and shockingly 3 233% cheaper.

This situation calls for the complete overhaul of the country’s broadcasting regulatory and licensing regime to ensure that citizens’ constitutionally guaranteed right to establish broadcast services is not hindered by undue restrictions and allow for a genuinely diverse and democratic broadcasting sector.

In the meantime, there was no movement towards transforming the Zimbabwe Broadcasting Corporation into a truly independent public broadcaster. This is despite the fact that Section 61 of the Constitution which guarantees freedom of expression and freedom of the media, sub-section 3 (b), states that broadcasting and other electronic media of communication should be independent of control by government or by political or commercial interests.

The need for the transformation of ZBC to ensure equal and equitable access by political parties and the generality of Zimbabweans despite their political affiliations, cannot be wished away. This is also buttressed in the findings and recommendations of the government-sanctioned Information and Media Panel of Inquiry (IMPI).
As stated in our 2014 report, the appointment of an independent ZBC board answerable to Parliament is now of imperative urgency given the new constitutional dispensation as it will go a long in securing the editorial and programming independence of ZBC through a binding Editorial Charter to foster accountability on its envisaged public service mandate.

**community radio stations**

The country maintained its unenviable record of failing to license community radio stations, 14 odd years after the enactment of BSA, which provides for community radios. In its meeting with the ministry of information officials in October 2015, MISA-Zimbabwe was told that the licensing of community radios will only start after the completion of digitisation.

And with government failing to meet its own deadlines to complete the process, the licensing of community radios is unlikely to be done in the first half of 2016.

Even if the licenses were to be issued, there is doubt that the process will be insulated from government manipulation and control to ensure only those communities deemed to be supportive of the ruling elite get the licenses. These doubts are predicated on repeated government pronouncements betraying their partisan and narrow perspective on what constitutes a community radio and how they should be regulated, structured and operated.

**digitisation**

After missing the 17 June 2015 International Telecommunications Union’s deadline for migration from analogue to digital broadcasting, Zimbabwe says it is now on course to meet the Southern Africa Development Community (SADC) June 2016 deadline.

While there was significant coverage and updates on progress post the June 2015 deadline, there is still need for public awareness campaigns on the process and its implications on ordinary Zimbabweans.

Information relating to the process remains confined and only accessible to a select section of the Zimbabwean society. For instance:

1. Content relating to the process is confined to the technical aspects of the process and not its implications and benefits at individual household level.
2. Frequency of information relating to the process and developments is confined to official statements.
3. Official publicity pertaining to the process has been woefully inadequate and largely been through the state media.
4. Packaging and dissemination of the information has not taken into consideration the country's 16 official languages.

There is need for a wider and much more structured public awareness campaign that uses people-centric platforms to ensure that citizens know what exactly will be at stake including the benefits of digital migration.
Mobile penetration/telecommunications

The Postal and Telecommunications Regulatory Authority of Zimbabwe (POTRAZ) noted an increase in the number of active mobile subscribers, which grew by 0.5% to reach 11.9 million from 11.8 million subscribers recorded in the previous year.

As a result, mobile and internet access in the country continued to change the face of both the mainstream print and broadcast media, communication by the citizenry and the general monetary transactions in the country.

Significant strides were taken by the mainstream media to harness, particularly social media and mobile applications in enhancing the citizenry’s access to and participation in the production content. The Zimpapers and Africa Media Holdings groups continued to harness mobile technology in the distribution of their content on the SMS platforms with the country’s three Mobile Network Operators (MNO’s) Econet, Telecel and NetOne, until about June 2015, when Econet subscribers stopped receiving the Zimpapers Mobile News.

The SMS platforms continue to bring in significant revenue for the newspaper groups with a charge of 88 cents and 80 cents, respectively. Social media applications Facebook, Whatsapp and Twitter continue to be platforms of choice for many Zimbabweans to interact socially and for more critical conversations.

The media thus marked its presence on the platforms with trends showing NewsDay, The Herald and national commercial radio station, ZiFM Stereo, as having one of Zimbabwe’s top Facebook and Twitter page accounts. Of the eight national newspapers, five of them have a Whatsapp feedback or user generated content platform namely, The Herald, The Sunday Mail, The Financial Gazette, Zimbabwe Independent and Newsday. These developments have prompted the Voluntary Media Council of Zimbabwe to adopt an online code of ethics for mainstream journalism.

On the broadcasting front, national commercial radio station, Star FM, in October launched its mobile application allowing functionalities of live streaming, play or pause, of their live broadcasts.

cyber crime laws visa-a-vis free expression online

Pursuant to the launch of the Zimbabwe Internet Governance Forum, MISA-Zimbabwe convened a multi-stakeholder Internet Governance Forum on 21 August 2015. The conference was held under the theme: Supporting Free and Secure Online Expression and Access to Information in Zimbabwe.

The conference was held to enhance national dialogue on internet governance pursuant to the World Summit on Information Society (WSIS) Tunis Agenda 2005. While delegates to the conference noted the significant growth of the internet in Zimbabwe and its opportunity for development and knowledge enhancement, there exists challenges and threats critical in the governing and regulation of the internet in Zimbabwe.

This came at a time when government was working on bills to control cyber space, notably the Data Protection Bill, Electronic Transaction and Electronic Commerce Bill and the Computer Crime and Cyber Crime Bills. The proposed legislative measures would give government greater control of cyber space.

The initial Electronic Transaction and Electronic Commerce Bill intends to promote legal certainty and enforce ability to electronic transactions and electronic commerce. It also aims to grant legal recognition to
electronic communications and writing and would also provide for the legal effect of electronic signatures as well as secure electronic signatures.

The Data Protection Bill will govern the processing of personal information by private and public bodies to prevent unauthorised and arbitrary use, collection, processing, transmission and storage of data of identifiable persons.

The Computer Crime and Cyber Crime Bills, if passed, will allow government to remotely install forensic spying tools onto citizens’ communication devices. A remote forensic tool is defined in the draft Bill as an “investigative tool, including software or hardware installed on or in relation to a computer system or part of a computer system and used to perform tasks that include, but are not limited to keystroke logging or transmission of an IP address”.

It is with this in mind that the conference resolved that internet regulation should be guided by the following principles, among others:

- Protecting the democratic rights of all citizens to freedom of expression, access to information, privacy and protection of intellectual property.
- Competition between telecommunications corporations, internet service providers, content providers and other ancillary services to be fairly regulated in the interest of promoting access, diversity and affordability and respect for human rights.

Cyber security framework in relation to national and regional security, protection of privacy and private property, should thus be implemented with due consideration on the right of all citizens to freedom of expression, media freedom and access to information.

Way forward in 2016

- Urgently implement law reforms to entrench constitutional democracy and retain foreign direct investment critical to halting the worsening economic crisis.
- IMPI report should be widely publicised and given due consideration by policy makers and the inter-ministerial committee that is reportedly reviewing more than 400 laws with the aim of aligning them with the Constitution.
- The country’s leadership should exercise restraint as threats to deal with the media have potential to trigger extra-legal violation of media freedom by political activists.
- Police Commissioner-General Augustine Chihuri and the responsible authorities should investigate and bring to account the culprits involved in the assaults of journalists more so where complaints and reports are filed against members of his force.
- Formulation of the cyber security framework in relation to national and regional security should be underpinned and guided by principles that protect privacy and private property and the right of all citizens to freedom of expression, media freedom and access to information.
- A wider and much more structured digitisation public awareness campaign that uses people-centric platforms to ensure citizens know what exactly will be at stake including the benefits of digital migration.
Ensure citizen participation in the transparent and democratic appointment process for the ZBC board, while securing and guaranteeing its independence and accountability in carrying out its public service mandate.

Urgently converge the broadcasting and telecommunications sector and establish an independent and converged regulatory body through a transparent process.

Urgently formulate a clear policy and regulatory framework for community broadcasting which will include a representative and all-encompassing definition of a community for purposes of facilitating the application process and licensing of community broadcasters.

Prioritise licensing of genuinely independent aspiring broadcasters and ensure government functionaries and agencies do not have an unfair advantage in competing for the limited frequencies.

Zimbabwean newspapers should revisit their business sustainability models for them to survive the economic hardships at a time when the majority of companies are operating on shoe-string budgets.

**Conclusion**

Li Keqiang, the Chinese Premier writing in The Economist’s special edition (the World in 2016) had this to say:

“For the Chinese economy, 2016 is a year of reform, openness and international co-operation. These three priorities may sound surprisingly familiar to Chinese watchers. Their potent combination has been instrumental to China’s growth story over decades.

“We are taking them further.”

This is as it should be for Zimbabwe as well. Reforms, openness and international co-operation.

**End**

**MISA-Zimbabwe**

84 McChlery Drive

Eastlea

Harare

Zimbabwe

Telefax: +263 4 776165/746838

Mobile : +263 712 602 448/ 0712 639 682
Email: misa@misazim.co.zw
Website: www.misazim.com
Twitter: @misazimbabwe
Facebook: Misa Zimbabwe